

TOWN OF WESTFORD
BOARD OF HEALTH
TOWN HALL
55 MAIN STREET
WESTFORD, MA 01886
(978) 692-5509 FAX (978) 399-2558

MERCURY DISPOSAL REGULATIONS

(Drafted 11/1/05)

(Effective 1/1/06)

Section I: Authority and Purpose

These regulations shall be effective on or after January 1, 2006 and shall remain in effect until modified or amended by the Westford Board of Health. They are enacted under the authority of Massachusetts General Laws Chapter 111, Section 31. Boards of Health regulations are an exercise of power under which levels of government are responsible for protection of public health, safety, welfare and the environment.

These regulations of the Westford Board of Health have been enacted for the purpose of protection of the citizens of the Town of Westford by reducing the amount of mercury entering the environment via the disposal of solid waste. Mercury is toxic to the human nervous system, as well as fish and animals. Mercury can enter the body either through skin absorption or through inhalation of mercury vapors.

These regulations are made to prevent mercury from used thermostats from entering the environment.

Thermostats, thermometers, switches and other mercury containing devices contain several grams of mercury in fragile glass bulbs or ampoules, these ampoules may break, releasing droplets of toxic mercury.

Section II: Definitions

Individuals – Person, or persons that are removing or replacing any mercury containing devices from a property. The individual may be the property owner or hired contractor such as but not limited to a carpenter, plumber or electrician.

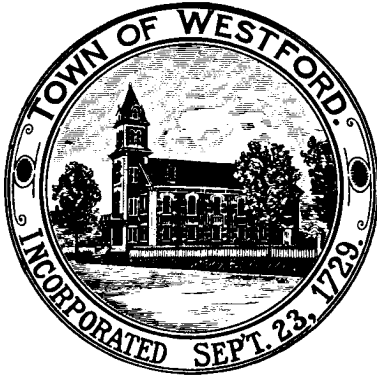
Building – The definition includes residential, commercial, industrial and/or recreational buildings or facilities.

Section III: Regulations

Mercury devices shall not be disposed of through any waste stream that results in their incineration, land filling, discharge into the general environment or any other method of disposal not approved by the Department of Environmental Protection and local board of health.

DRAFTED 11/1/05

EFFECTIVE 1/1/06



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It shall be the responsibility of the individual(s) removing or replacing such mercury devices to properly dispose of his mercury device in accordance with these regulations and any state regulation regarding proper mercury cleanup and/or disposal.

Used devices containing mercury must be disposed of through an approved Board of Health recycling program. Approved programs shall at a minimum document how they will accept, store, recycle and/or transfer each mercury device. In addition, the programs yearly approval will be contingent on providing evidence to the Board, through properly documented manifests, that all devices have had their mercury successfully recycled.

Section IV: Effective Date and Enforcement

The effective date of this regulation is the date posted on the front page of this regulation, which shall be identical to the date of adoption of these regulations.

As of the effective date of this regulation any individual that removes, replaces, or engages any activity that would result in the removal or replacement of a mercury device shall comply with the provisions of this regulation.

The Building Department, Board of Health or any other department that would oversee the removal, replacement or installation of any mercury devices must notify the individual removing, replacing the mercury device, of these regulations and notify the Board of Health upon issuance of a permit to do so.

Section V: Penalties

Failure to comply with provisions of these regulations may result in a levy of fines of no less than \$100.00, but no more than \$300.00 per incident.

Section VI: Severability

Each provision of this regulation shall be construed as separate to the end that if any provision, sentence, clause, or phrase thereof, shall be held invalid for any reason, that remainder of that section and all other sections shall continue in full force and effect.